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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

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UNITED STATES OF AMERICA

CASE NO. CR-1-02-054
(J. Weber)

vs.

MOTION TO CONTINUE TRIAL DATE

WALTER MEADE PUGH, JR.
TYREESE DORRAN PUGH

* * * * *

Comes now the United States of America, by and through counsel, Assistant United States Attorney Wende C. Cross, and for its request for a continuance of the trial date, currently scheduled to commence on July 10, 2002, states as follows:

In preparation for the trial in this matter, the undersigned caused several trial subpoenas to be issued to individuals who the government intends to call as witnesses during its case-in-chief at trial. On Monday, June 24, 2002, the undersigned was advised by Special Agent Terrence F. Moran of the Federal Bureau of Investigation that James Connaughton, upon whom a trial subpoena was served, has a conflict with the scheduled trial date. Mr. Connaughton is the bank manager of the victim bank in this case. He was present during the armed robbery by the defendants on April 24, 2002. Mr. Connaughton is an essential witness to the government's case. The undersigned is advised that Mr. Connaughton has a family vacation scheduled from July 5-14, 2002. Said vacation has been scheduled and paid for since February, 2002, and includes non-refundable accommodations.

The United States respectfully requests a brief continuance of the trial date until the week of July 15, 2002, so that this essential witness may be present to testify. Although

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the government would incur a significant expense and the witness/victim would be greatly inconvenienced, the United States will make every effort to have the witness present at trial should this request be denied.

Should this request for continuance be granted, the defendants will still stand trial within the speedy trial time deadline, which is July 24, 2002.

WHEREFORE, for the reasons stated herein above, the United States respectfully request the relief sought herein be granted.

Respectfully submitted,


GREGORY G. LOCKHART
United States Attorney



WENDE C. CROSS (0061531)
Assistant United States Attorney
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CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing was mailed on this 24th day of June, 2002, to: J. Robert Andrews, 2662 Madison Road, Cincinnati, Ohio 45208, and Edward J. Felson, 36 East 7th Street, Suite 1650, Cincinnati, Ohio 45202.



WENDE C. CROSS (0061531)
Assistant United States Attorney